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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,476	03/09/2004	Naoki Fujii	OOCL-153 (6MHA-04S0256)	3304
26479	7590	07/03/2007	EXAMINER HENDERSON, ADAM	
STRAUB & POKOTYLO 620 TINTON AVENUE BLDG. B, 2ND FLOOR TINTON FALLS, NJ 07724			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 07/03/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/797,476

Applicant(s)

FUJII, NAOKI

Examiner

Adam L. Henderson

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 26 July 2004 was filed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 9, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Panasonic PV-DV800 (Panasonic).

5. Panasonic discloses a cover apparatus for protecting a protected portion which is located in part of a housing, and includes at least an opening portion of a recording medium storage chamber (interior of M-CARD Door, bottom page 9) and an electric member (PC Connector, shown page 65), comprising:

a first cover (LCD monitor) provided to be movable between a closed position where the first cover closes the protected portion and an open position where the first cover opens the protected portion (shown closed on top of page 8 and shown open on page 9); and

a second cover (M-CARD Door, bottom page 9) located inward of the first cover, and provided to be movable between a closed position where the second cover closes the opening portion of the recording medium storage chamber and an open position where the second cover opens the opening portion of the recording medium storage chamber (see section "Insert MultiMediaCard" page 9),

the second cover being moved, in accordance with opening of the first cover, to the open position where the second cover opens the opening portion of the recording medium storage chamber [since the CARD EJECT Switch (see page 9) which is used to open the M-CARD Door is only accessible when the LCD Monitor is open, the M-CARD Door can only be opened in accordance with the LCD Monitor].

6. With regard to claim 2 Panasonic discloses the cover apparatus according to claim 1, wherein the electric member is a connector portion for connection to an external apparatus [it is a PC Connector, see page 65].

7. With regard to claims 9 and 10 Panasonic discloses a digital camera comprising the cover apparatus according to claim 1, wherein photographic image data is recorded in a recording medium stored in the recording medium storage chamber [see top of first column, page 41, "You can record still images to a MultiMediaCard."].

Art Unit: 2622

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Panasonic PV-DV800 (Panasonic) in view of Kunio (JP 10-256748).

10. With regard to claim 3 Panasonic discloses the cover apparatus according to claim 1, but fails to disclose wherein the second cover includes a spring member for urging the second cover to move the second cover to the open position, and the second cover moves by itself due to an urging force of the spring member when the first cover is moved by an opening operation thereof.

Kunio discloses wherein the second cover includes a spring member (torsion coil spring 12) for urging the second cover (inside lid 8) to move the second cover to the open position, and the second cover moves by itself due to an urging force of the spring member when the first cover (outside lid 13) is moved by an opening operation thereof (detailed description, paragraph [0031]).

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the cover apparatus according to Panasonic to include the complete double cover mechanism of Kunio in order to provide a method of closing both covers simultaneously (Kunio, abstract: problem to be solved). This would simplify operation of the system since the user

Art Unit: 2622

would not be required to manually close each opening separately. They could be closed easily with a single motion.

11. With regard to claim 4 Panasonic discloses a release portion for opening the second cover (CARD EJECT Switch, page 9).

Kunio discloses the cover apparatus according to claim 3, further comprising a holding portion (engagement section 19) capable of holding the second cover in the closed position, with the first cover opened (detailed description, paragraph [0037]).

12. With regard to claim 5 Kunio discloses wherein the holding portion includes: an engagement member which is provided to be movable between an engagement position where the engagement member is capable of engaging the second cover moved to the closed position, in the closed position; and an urging member (extension spring 24) for urging the engagement member so that the engagement member is displaced toward the engagement position (detailed description, paragraphs [0039-0045]).

13. With regard to claim 6 Kunio discloses further comprising a release operation member (stop pawl 9) for receiving a pressing force of the first cover when the first cover moves to the closed position, and then moving the engagement member to the non-engagement position against an urging force of the urging member. (detailed description, paragraphs [0045-0048]) [as the first cover pushes down on the second cover, the stop pawl will push down on the engagement section 19, pushing it back toward a non-engagement position as it falls].

Art Unit: 2622

14. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Panasonic PV-DV800 (Panasonic) in view of Kunio (JP 10-256748) as applied to claim 6 above, and further in view of Uryu (US Patent 6,542,186).

15. With regard to claim 7 Panasonic and Kunio disclose the cover apparatus according to claim 6, but fail to disclose further comprising a detecting portion for detecting opening/closing of the second cover.

Uryu discloses a detecting portion (card cover detecting switch 120, FIG 3) for detecting opening/closing of the second cover (card cover 57, FIG. 3, column 6 lines 11-14).

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the cover apparatus of Panasonic and Kunio to include the detection switch taught by Uryu in order to either give a warning not to remove the memory card or to lock the memory card in place (Uryu, column 2 lines 54-63). This would prohibit the user from removing the memory card when it is being accessed by the camera. This is beneficial because the data may be lost or damaged if the memory card is removed during reading or the memory card itself may suffer damage due to remove during reading.

16. With regard to claim 8 Kunio discloses wherein the second cover is pressed by the first cover to move to the position where the second cover closes the opening portion, when the first cover moves to the closed position (abstract: solution).

Conclusion

Art Unit: 2622


17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Panasonic CES2000 highlights website, dated 2000, is referenced to give further evidence the PV-DV800 was known at least as early as 2000, see "Digital Camcorders".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L. Henderson whose telephone number is 571-272-8619. The examiner can normally be reached on Monday-Friday, 7am to 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc-Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ALH
20 June 2007


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